



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

SLT:GMP  
F.# 2010R01661

271 Cadman Plaza East  
Brooklyn, New York 11201

September 5, 2013

By Hand Delivery and ECF

The Honorable Dora L. Irizarry  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York

Re: United States v. Martino Cekaj  
Criminal Docket No. 11-486 (S-1)(DLI)

Dear Judge Irizarry:

The government respectfully submits this letter pursuant to the Court's August 27, 2013 Order directing the government to respond to the request by the defendant in the above-captioned matter for a Fatico hearing concerning paragraphs 51 to 54 of his Presentence Investigation Report ("PSR"). The government has had multiple discussions with defense counsel in an attempt to resolve this factual dispute without the need for a Fatico hearing. While these discussions have progressed, a final resolution has not yet been reached because of the need for the defendant and his counsel to consult with two co-defendants who are similarly situated. I have been informed by counsel for defendant Cekaj that a co-defendant meeting is scheduled for next week. The parties are hopeful that this meeting and continued discussions may resolve not just the Fatico issue as to defendant Cekaj, but as to his two co-defendants as well.

Accordingly, the government respectfully requests that the sentencing date for defendant Cekaj currently scheduled for September 20, 2013 be converted into a status conference, at which time the parties will advise the Court whether a resolution

has been reached or, alternatively, schedule a mutually convenient date for a Fatico hearing. Defense counsel consents to this request.

Very truly yours,

LORETTA E. LYNCH  
United States Attorney  
Eastern District of New York

By: /s/  
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cc: Clerk of the Court (By ECF)  
Nicholas Pinto, Esq. (By ECF)